

**Assembly Bill No. 2069**

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Passed the Assembly August 29, 2006

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*Chief Clerk of the Assembly*

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Passed the Senate August 28, 2006

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*Secretary of the Senate*

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This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2006, at \_\_\_\_\_ o'clock \_\_\_\_M.

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*Private Secretary of the Governor*

## CHAPTER \_\_\_\_\_

An act to add and repeal Article 5 (commencing with Section 1390) of Chapter 2 of Division 4 of Title 1 of the Government Code, relating to public employment.

## LEGISLATIVE COUNSEL'S DIGEST

AB 2069, Maze. Public employment: applicant qualifications.

Existing law establishes various requirements regarding the employment of public officers and employees.

This bill would provide that if a requirement for a position with a public agency, as defined, is the possession of a particular degree, then that degree must be from an accredited or approved institution. The bill would also prohibit a public agency, if that agency's job description requires an applicant to furnish a diploma from an accredited or approved institution to the agency's hiring entity as a condition of employment, from hiring an applicant unless the applicant has provided the entity with his or her diploma from an accredited or approved institution, as specified. The bill would require an applicant with a foreign education to have his or her education evaluated by a private United States organization that specializes in credential evaluation service, as specified. The bill would remain in effect until January 1, 2009. By imposing additional duties on local agencies with respect to their employment practices, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

*The people of the State of California do enact as follows:*

SECTION 1. Article 5 (commencing with Section 1390) is added to Chapter 2 of Division 4 of Title 1 of the Government Code, to read:

Article 5. Applicants for Public Employment

1390. As used in this article, the following terms apply:

(a) “Accredited” has the same meaning set forth in Section 94712 of the Education Code.

(b) “Approved” means that the Bureau for Private Postsecondary and Vocational Education, pursuant to Section 94900, 94901, or 94905 of the Education Code, has determined and certified that a degree-granting institution meets minimum standards established by the bureau.

(c) “Diploma” means a document or certificate as defined in Section 94728 of the Education Code.

(d) “Public agency” means the state or any agency or department of the state, and any city, county, city and county, special district, school district, municipal corporation, political subdivision, joint powers authority, or any board, commission, or agency thereof.

1391. (a) If a public agency establishes a job description or classification for a specific position, and a requirement for the position is the possession of a particular degree, the degree shall be from an accredited or approved institution.

(b) If a job description for a position with a public agency requires that an applicant furnish a diploma from an accredited or approved institution to the public agency’s hiring entity as a condition of employment, the public agency shall not hire an applicant unless the applicant has provided the entity with his or her diploma from an accredited or approved institution.

(c) The requirement to provide a diploma from an accredited or approved institution to the public agency’s hiring entity refers to a diploma from a postsecondary school and does not refer to a high school diploma or General Education Development (GED) equivalent.

1392. (a) Unless the foreign education meets the requirements of accreditation set forth in Section 1390, an

applicant with foreign education who submits an application for a job described in Section 1391 shall submit all necessary documents to a private United States organization that specializes in credential evaluation service, in order to ascertain whether the foreign education is legitimate and comparable to that expected of a candidate with United States credentials.

(b) In order for a foreign credential evaluation to be acceptable under this article, it shall include the following:

(1) The type of education received by the applicant.

(2) The level of education in relation to the United States education system, and state that its comparability recommendations follow the general guidelines of the United States National Council for the Evaluation of Foreign Educational Credentials.

(3) The content of the applicant's educational program earned abroad and the standard obtained.

(4) The status of the awarding foreign school's recognition and legitimacy in its home country's education system.

(5) Any other information of interest, including, but not limited to, what the evaluation service did to obtain this information, the qualifications of the evaluator, and any indication as to other problems such as forgery.

(c) Foreign credential evaluations that do not contain the information specified in subdivision (b) or that state there is insufficient information provided by the applicant on which to base an evaluation shall not be accepted. If the requested evaluation shows the foreign education to be legitimate and comparable to that expected of a candidate with United States credentials, it may be accepted at the discretion of the public agency.

1393. This article shall remain in effect only until January 1, 2009, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2009, deletes or extends that date.

SEC. 2. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.







Approved \_\_\_\_\_, 2006

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*Governor*